



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Set Public Hearing for October 20, 2004, to Consider Adopting Resolution Establishing an Area of Benefit and Reimbursable Costs for Kettleman Lane Improvements

MEETING DATE: September 15, 2004

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council set a Public Hearing for October 20, 2004, to consider adopting a resolution establishing an area of benefit and reimbursable costs for Kettleman Lane Improvements fronting the parcels located on Kettleman Lane, as shown on Exhibit A.

BACKGROUND INFORMATION: As part of the Kettleman Lane Gap Closure Project, the City is installing public improvements that include widening the north side of Kettleman Lane between Lower Sacramento Road and the WID Canal.

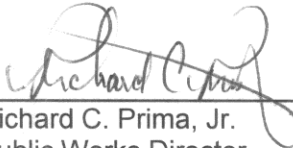
The City project includes the installation of street improvements (curb, gutter, sidewalk and pavement) on the north side of Kettleman Lane that directly benefit the properties located on the north side of Kettleman Lane between Tienda Drive and Lakeshore Drive. The benefiting properties are shown on Exhibit A as the Area of Benefit.

Pursuant to Lodi Municipal Code (LMC) §16.40.030, the costs of improvements installed by the City that benefit adjacent properties and would be required of the properties upon development are reimbursable to the City. The reimbursable costs for each of the benefiting properties have been calculated based on the length of frontage of each parcel and are shown on Exhibit B. First Church of the Nazarene, the owner of the property at 2223 West Kettleman Lane, entered into an agreement with the City on August 5, 1998. In part, the agreement stated that the City would pay for the design and construction of the Kettleman Lane frontage improvement in exchange for the right-of-way dedication on Kettleman Lane. Thus, this parcel is not included. Other parcels along this segment are already developed and have installed their frontage improvements as part of their development.

Since the Kettleman Lane Improvement Project is not complete yet, the reimbursable amounts shown on Exhibit B are maximum estimates only and will be adjusted downward upon the completion and acceptance of the Kettleman Lane Improvement Project. Staff requests permission to implement the necessary adjustments at completion of the project of the amounts shown without further Council action. The reimbursement costs will be due at the time of development of the respective parcels. Pursuant to LMC §15.64.080, the reimbursable amount will be adjusted annually to include an amount attributable to interest, which will be based on the change in the Engineering News Record 20 Cities Construction Cost Index from December 2003 to January 1st of the year of reimbursement.

In conformance with LMC 16.40, staff recommends that Council set a public hearing to establish an area of benefit and reimbursable costs to recover the cost of street improvements on the north side of Kettleman Lane fronting the benefiting properties.

FUNDING: Not applicable.


Richard C. Prima, Jr.
Public Works Director

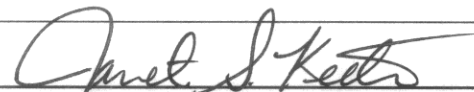
Prepared by Lyman Chang, Associate Civil Engineer
Attachments

cc: Senior Civil Engineer Welch

Associate Civil Engineer Chang

Property Owners

APPROVED:


Janet S. Keeter, Interim City Manager



CITY OF LODI

PUBLICWORKSDEPARTMENT

EXHIBIT A KETTLEMAN LANE AREA OF BENEFIT

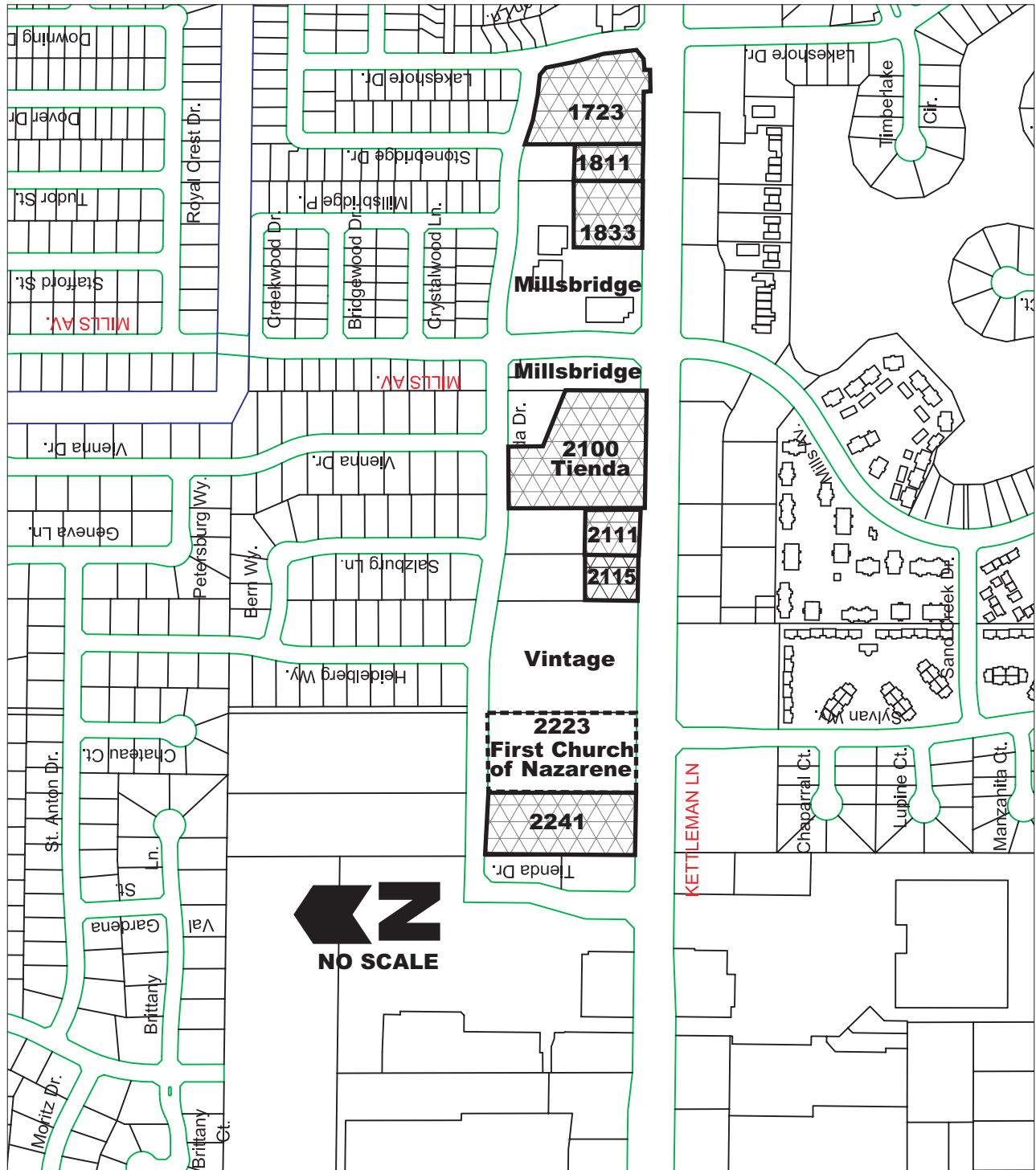


Exhibit B

City of Lodi
Public Works Department
Kettleman Lane Frontage Improvement Reimbursement ⁽¹⁾

Frontage Improvements from 34 feet out from the right-of-way only

						2241 W Kettleman		2115 W Kettleman		2111 W Kettleman		2100 Tienda		1833 W Kettleman		1811 W Kettleman		1723 W Kettleman	
						SJCOE School		Brittany LLC		John Giannoni		Church of God 7th Day of Lodi		Mary Tsutoaka		John Bezug		George Nakamura	
						027-410-15		027-410-20		027-410-21		027-410-22		031-040-20		031-040-40		031-040-42	
Item	Description	Qty	Unit	Price	Total	Qty	Total	Qty	Total	Qty	Total	Qty	Total	Qty	Total	Qty	Total	Qty	Total
1	Roadway Excavation	1,974	M ³	25.00	\$ 49,359.38	230	\$ 5,737.50	223	\$ 5,568.75	219	\$ 5,484.38	489	\$ 12,217.50	300	\$ 7,492.50	174	\$ 4,353.75	340	\$ 8,505.00
2	Class II AB	1,612	M ³	50.00	\$ 80,614.20	191	\$ 9,566.80	179	\$ 8,962.70	177	\$ 8,829.95	389	\$ 19,454.55	241	\$ 12,052.20	145	\$ 7,263.90	290	\$ 14,484.10
3	Asphalt Concrete (Class B)	1,251	TONNE	45.00	\$ 56,301.44	145	\$ 6,544.44	141	\$ 6,351.96	139	\$ 6,255.72	310	\$ 13,935.81	190	\$ 8,546.27	110	\$ 4,966.08	216	\$ 9,701.17
4	Asphalt Concrete, Misc	185	M ²	15.00	\$ 2,769.00	23.4	\$ 351.00	18.8	\$ 282.00	18.8	\$ 282.00	0	-	16.2	\$ 243.00	32.4	\$ 486.00	75	\$ 1,125.00
5	Minor Concrete	166	M ³	400.00	\$ 66,499.74	24	\$ 9,550.68	18	\$ 7,045.16	17	\$ 6,957.56	41	\$ 16,376.82	24	\$ 9,588.80	14	\$ 5,599.60	28	\$ 11,381.12
6	Storm Drain Catch Basin ⁽²⁾	2	EA	1,200.00	\$ 2,400.00	0.29	\$ 349.45	0.21	\$ 247.06	0.20	\$ 243.75	0.52	\$ 618.46	0.29	\$ 352.87	0.16	\$ 192.97	0.33	\$ 395.43
7	450 mm Concrete Pipe ⁽²⁾	128	M	140.00	\$ 17,920.00	18.64	\$ 2,609.23	13.18	\$ 1,844.74	13.00	\$ 1,820.04	32.98	\$ 4,617.81	18.82	\$ 2,634.75	10.29	\$ 1,440.88	21.09	\$ 2,952.57
8	Lighting (Street) ⁽²⁾	11	EA	3,025.00	\$ 33,275.00	1.60	\$ 4,844.98	1.13	\$ 3,425.42	1.12	\$ 3,379.56	2.83	\$ 8,574.64	1.62	\$ 4,892.37	0.88	\$ 2,675.52	1.81	\$ 5,482.51
9	Miscellaneous Items ^{(2) (3)}	1	LS	30,800.00	\$ 30,800.00	0.15	\$ 4,484.61	0.10	\$ 3,170.64	0.10	\$ 3,128.19	0.26	\$ 7,936.86	0.15	\$ 4,528.48	0.08	\$ 2,476.51	0.16	\$ 5,074.72
Subtotal					\$ 339,938.75	\$ 44,038.68	\$ 36,898.43	\$ 36,381.13	\$ 83,732.45	\$ 50,331.23	\$ 29,455.20	\$ 59,101.62							
10% Engineering & Contract Administration					\$ 33,993.88	\$ 4,403.87	\$ 3,689.84	\$ 3,638.11	\$ 8,373.24	\$ 5,033.12	\$ 2,945.52	\$ 5,910.16							
5% Contingencies					\$ 16,996.94	\$ 2,201.93	\$ 1,844.92	\$ 1,819.06	\$ 4,186.62	\$ 2,516.56	\$ 1,472.76	\$ 2,955.08							
Total Reimbursable Costs					\$ 390,929.56	\$ 50,644.48	\$ 42,433.19	\$ 41,838.30	\$ 96,292.32	\$ 57,880.92	\$ 33,873.48	\$ 67,966.87							

⁽¹⁾ Estimate based on actual contract prices from Lane Gap Closure Project. Except for Item 6.

⁽²⁾ Prorated based on length of parcel frontage on Kettleman Lane.

⁽³⁾ Miscellaneous Items include Traffic Control, Clearing & Grubbing, and other miscellaneous items.

CITY COUNCIL

LARRY D. HANSEN, Mayor
JOHN BECKMAN
Mayor Pro Tempore
SUSAN HITCHCOCK
EMILY HOWARD
KEITH LAND

CITY OF LODI

PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710
EMAIL pwdept@lodi.gov
<http://www.lodi.gov>

JANET S. KEETER
Interim City Manager
SUSAN J. BLACKSTON
City Clerk
D. STEVEN SCHWABAUER
City Attorney
RICHARD C. PRIMA, JR.
Public Works Director

September 9, 2004

Property Owners

Mailing List attached

SUBJECT: Set Public Hearing for October 20, 2004, to Consider Adopting Resolution Establishing an Area of Benefit and Reimbursable Costs for Kettleman Lane Improvements

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, September 15, 2004. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

As indicated in the title, the only action will be to set a public hearing date on the item. Public hearings are usually set for the second following Council Meeting.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Susan Blackston, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Lyman Chang, Associate Civil Engineer, at (209) 333-6800, extension 2665.

P. Farris

for : Richard C. Prima, Jr.
Public Works Director

RCP/pmf

Enclosure

cc: City Clerk

SJ CNTY OFFICE OF EDUCATION
PO BOX 213030
STOCKTON CA 95213

BRITTANY LLC
PO BOX 1510
LODI CA 95241

GIANNONI JOHN JR & KERRY
2000 W KETTLEMAN LN STE 107
LODI CA 95242

CHURCH OF GOD 7TH DAY OF LODI
2100 TIENDA DR
LODI CA 95242

NAKAMURA GEORGE S ETAL
645 POSADA WAY
FREMONT CA 94536

TSUTAOKA MARY
1833 W KETTLEMAN LN
LODI CA 95242

BEZUG JOHN & A V
1811 W KETTLEMAN LN
LODI CA 95240

NOTICE OF PUBLIC HEARING
LODI CITY COUNCIL
221 W. PINE STREET, LODI, 95240 --TELEPHONE 333-6702

DATE: Wednesday, **October 20, 2004**

TIME: **7:00 p.m.**, or as soon thereafter as the matter can be heard

PLACE: **Carnegie Forum, 305 West Pine Street, Lodi**

SUBJECT: To consider adopting resolution establishing an area of benefit and reimbursable costs for Kettleman Lane improvements

(SEE ENCLOSED EXHIBITS A & B)

INFORMATION REGARDING THIS MATTER MAY BE OBTAINED IN THE OFFICE OF PUBLIC WORKS, 221 W. PINE ST., LODI.

WRITTEN STATEMENTS MAY BE FILED WITH THE CITY CLERK, 221 W. PINE ST., 2ND FLOOR, LODI, AT ANY TIME PRIOR TO THE HEARING SCHEDULED HEREIN, AND ORAL STATEMENTS MAY BE MADE AT SAID HEARING.

ALL PROCEEDINGS BEFORE THE CITY COUNCIL ARE CONDUCTED IN ENGLISH. THE CITY OF LODI DOES NOT FURNISH INTERPRETERS, AND, IF ONE IS NEEDED, IT SHALL BE THE RESPONSIBILITY OF THE PERSON NEEDING ONE.

ANYONE WISHING TO BE HEARD ON THE ISSUE MAY APPEAR BEFORE THE CITY COUNCIL AT THE TIME OF THE PUBLIC HEARING. IT DESERVES TO BE NOTED THAT THE LEGAL REQUIREMENT OF PUBLIC NOTICE DOES NOT GUARANTEE NOTICE TO ALL PERSONS RESIDING IN OR OTHERWISE USING PROPERTY IN THE GENERAL VICINITY OF THE PROPERTY IN QUESTION. ACCORDINGLY, EACH RESIDENT OF THIS NOTICE IS RESPECTFULLY REQUESTED TO BRING THIS NOTICE PROMPTLY TO THE ATTENTION OF ANY OTHER PERSON OR PERSONS WHOM THE RECIPIENT FEELS MAY BE INTERESTED IN OR AFFECTED BY THIS PROPOSAL IN ORDER THAT ALL PERSONS MAY BE GIVEN AN OPPORTUNITY TO BE HEARD ON THE ISSUE.

IF YOU CHALLENGE THE PROPOSED ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY CLERK/CITY COUNCIL AT, OR PRIOR TO, THE PUBLIC HEARING.

Date Mailed: September 16, 2004


SUSAN J. BLACKSTON
CITY CLERK OF THE CITY OF LODI



CITY OF LODI

PUBLICWORKSDEPARTMENT

EXHIBIT A KETTLEMAN LANE AREA OF BENEFIT



Exhibit B

City of Lodi
Public Works Department
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	Subtotal				\$ 339,938.75		\$ 44,038.68		\$ 36,898.43		\$ 36,381.13		\$ 83,732.45
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⁽³⁾ Miscellaneous Items include Traffic Control, Clearing & Grubbing, and other miscellaneous items.



DECLARATION OF POSTING

SET PUBLIC HEARING FOR OCTOBER 20, 2004 TO CONSIDER ADOPTING RESOLUTION ESTABLISHING AN AREA OF BENEFIT AND REIMBURSABLE COSTS FOR KETTLEMAN LANE IMPROVEMENTS

On Thursday, September 16, 2004, in the City of Lodi, San Joaquin County, California, a copy of a Notice of Public Hearing to consider Adopting Resolution Establishing an Area of Benefit and Reimbursable Costs for Kettleman Lane Improvements, (attached hereto, marked Exhibit "A"), was posted at the following four locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 16, 2004, at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON
CITY CLERK**

Jacqueline L. Taylor, CMC
Deputy City Clerk

A handwritten signature in cursive script, reading "Kari J. Chadwick".

Kari J. Chadwick
Administrative Clerk

Jennifer M. Perrin, CMC
Deputy City Clerk



DECLARATION OF MAILING

SET PUBLIC HEARING FOR OCTOBER 20, 2004 TO CONSIDER ADOPTING RESOLUTION ESTABLISHING AN AREA OF BENEFIT AND REIMBURSABLE COSTS FOR KETTLEMAN LANE IMPROVEMENTS

On September 16, 2004, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a notice to set public hearing for October 20, 2004 to consider adopting resolution establishing an Area of Benefit and Reimbursable Costs for Kettleman Lane Improvements, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 16, 2004, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON
CITY CLERK, CITY OF LODI**

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

Kari J. Chadwick
KARI J. CHADWICK
ADMINISTRATIVE CLERK

SJ CNTY OFFICE OF EDUCATION
PO BOX 213030
STOCKTON CA 95213

A standard linear barcode consisting of vertical black bars of varying widths on a white background.

BRITTANY LLC
PO BOX 1510
LODI CA 95241

GIANNONI JOHN M JR & KERRY
2000 W KETTLEMAN LN STE 107
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645 POSADA WAY
FREMONTCA 94536

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